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 Committee of CleanSpark, Inc.*

UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA

IN RE CLEANSARK, INC.
 DERIVATIVE LITIGATION,
 This Document Relates to:
 ALL ACTIONS

Case No. 2:21-cv-01004-GMN-BNW

STIPULATION OF DISMISSAL AND ORDER OF DISMISSAL (WITH PREJUDICE)

Pursuant to Rule 41(a) of the Federal Rules of Civil Procedure, Plaintiffs Andrea Ciceri and Mark Perna (“Plaintiffs”), by and through their respective undersigned counsel, hereby dismiss the above-captioned consolidated matter in its entirety, with prejudice as to all claims, causes of action and parties and with each party to bear its own attorneys’ fees and costs.

This dismissal includes the dismissal of all claims asserted in the following actions, which have been consolidated into this action:

- *Andrea Ciceri, derivatively on behalf of CleanSpark, Inc. v. Zachary Bradford, Lori Love, Matthew Schutz, Roger Beynon, Larry McNeill and Tom Wood and Nominal Defendant CleanSpark, Inc.*, Case No. 2:21-cv-01004, which was filed on May 26, 2021; and
- *Mark Perna, derivatively on behalf of CleanSpark, Inc. v. Zachary Bradford, Lori Love, Matthew Schutz, Roger Beynon, Larry McNeill and Tom Wood and Nominal Defendant CleanSpark, Inc.*, Case No. 2:21-cv-01181, which was filed on June 22, 2021.

The dismissal is not intended to, and does not, dismiss or compromise the claims in the consolidated derivative action pending in the Eighth Judicial District Court, Clark County, Nevada:

- *In re CleanSpark Inc. Derivative Litigation*, Case No. A-23-866051-B (Dept. 13) (“Nevada State Derivative Action”).

Notice of this voluntary dismissal is not required under Fed. R. Civ. P. 23.1(c) because neither Plaintiffs nor Plaintiffs’ counsel have received or will receive any compensation for this dismissal, and because other shareholders who are plaintiffs in the Nevada State Derivative Action, which remains pending, make substantially similar claims as the Plaintiffs. The SLC takes no position on this issue.

IT IS SO AGREED AND STIPULATED:

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ORDER OF DISMISSAL

Pursuant to the stipulation of the parties pursuant to Federal Rule of Civil Procedure 41(a), it is HEREBY ORDERED THAT THIS ACTION IS HEREBY DISMISSED, WITH PREJUDICE, as to all claims, causes of action and parties with each party to bear its own attorneys' fees and costs. This order of dismissal is not intended to, and does not, dismiss or compromise the claims in the consolidated derivative action pending in the Eighth Judicial District Court, Clark County, Nevada: *In re CleanSpark Inc. Derivative Litigation*, Case No. A-23-866051-B (Dept. 13). All other pending motions are DENIED as moot.

Dated: December 12, 2024.



GLORIA M. NAVARRO
UNITED STATES DISTRICT JUDGE